

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH,
AT HYDERABAD

HON'BLE SRI JUSTICE V.V.S. RAO

W.P. No. 12583 OF 2003

Date: 22.11.2005

BETWEEN:

M/s. Rensi Bar & Restaurant

Rep. by V. Srinivas

.... PETITIONER

And

The Commissioner,

Nalgonda Municipality, Nalgonda District.

.... RESPONDENT

HONOURABLE SRI JUSTICE V.V.S. RAO

WRIT PETITION No. 12583 OF 2003

ORDER:

The petitioner filed the present writ petition seeking a Writ of Mandamus declaring the notice dated 31.3.2003 issued by the respondent Municipality demanding trade licence fee in respect of the liquor shop, at 1% of the rentals/excise fee. The notice and action of the Municipality is challenged essentially on the ground that no such power inheres in the Municipality to levy or collect trade licence fee in respect of the business carried on by the petitioner under A.P. Excise Act, 1968 and A.P. Indian Liquor and Foreign Liquor Rules, 1970.

The question raised in this writ petition is considered by this Court in W.P.No.6422 of 2000 and batch, dated 28-10-2005. This court also observed that in respect of a Bar and Restaurant, it is permissible for the Municipality to collect trade licence fee as prescribed by the Municipal Council under Section 263 of the A.P. Municipalities

Act, 1965. Following the same, this Writ Petition is accordingly disposed of. No costs.

(V.V.S. RAO, J.)

22nd November, 2005

Js.